GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 3.97 Ha. of forest land in Compartment No.456 of Basavapalli Extension Reserve Forest in Chittoor East Wildlife Management Division for extraction of Black Granite, in favour of M/s. Raj Granites, Prop.: Sri C.R. Thyagaraju - Stage-II approval accorded - Orders issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O Ms.No.25 **Dated: 24-07-2019.**
Read the following:-

1. From PCCF (HoFF), A.P, Lr Rc.No.62512/2007/F2, Dt.02.07.2012.
2. State Govt.Lr.No3973/For (I)/2012,dated.27-04-2013.
3. From GoI, MoEF& C.C, Lr No.4-APB950/2013-BAN/0404, Dt.16-3-2018.
4. FromPCCF(HoFF),Lr.Ref.No.EFS02-15029/50/2018/ FCA.SEC.PCCF/FCA-2, Dt.20-2-2019.
5. State Govt.Lr.No3973/Section.II/2012, dated.22-02-2019.
6. From GoI, MoEF & C.C, Lr No.4-APB950/2013-BAN/0951, Dt.11.06.2019.

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ORDER:

The Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh, in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 3.97 Ha. of forest land in Compartment No.456 of Basavapalli Extension Reserve Forest in Chittoor (East) (Wildlife Management) Division for extraction of Black Granite, in favour of M/s. Raj Granites, Prop.: Sri C.R. Thyagaraju and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal of Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh, was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein. Accordingly, the State Government vide letter 5th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in principle (Stage-I) approval.

4. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 6th read above, have accorded (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 3.97 Ha. of forest land in Compartment No.456 of Basavapalli Extension Reserve Forest in Chittoor East Wildlife Management Division for extraction of Black Granite, in favour of M/s. Raj Granites, Prop.: Sri C.R. Thyagaraju, subject to compliance of certain conditions as stipulated therein.

5. Government, after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh, for diversion of 3.97 Ha. of forest land in Compartment No.456 of Basavapalli Extension Reserve Forest in Chittoor East Wildlife Management Division for extraction of Black Granite, in favour of M/s. Raj Granites, Prop.: Sri C.R. Thyagaraju, subject to the following conditions:-

1. The legal status of the diverted forest land shall remain unchanged;

2. The Compensatory afforestation over identified non-forest land shall be raised and maintained by the State Forest Department from the amount which has already been realized from the User Agency;

3. The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as Reserve Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act latest within a period of six months from the date of issue of Stage-II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;

4. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;

5. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost;

6. The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there-under;

7. The State Forest Department shall undertake gap planting and soil and moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease from the amount which has already been realized from the User Agency;

8. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area.The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Additional Director General of Forests (Central), Regional Office, Chennai may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;

9. The State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the boundary of the mining lease or mining cluster, as applicable, and such other areas as specified in the approved mining plan) from the amount which has already been realized from the User Agency;

10. The State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone from the amount which has already been realized from the User Agency;

11. In case of under-ground mines, areas on surface shall be fenced and afforested from the funds to be provided by the User Agency;
12. The User Agency shall implement the R & R Plan as per the R & R Policy of State Government in consonance with National R&R Policy, Government

of India before the commencement of the project work and implementation. The said R & R Plan will be monitored by the State Government/ Regional Office of Ministry of Environment & Forests along with indictors for monitoring and expected observable milestones;

13. The User Agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies, whenever required;

14. Following activities shall be undertaken by the User Agency at the project cost-

(a) Preparation and implementation of a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams;

(b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;

(c) Construction of check dams, retention /toe walls along the contour to arrest sliding down of the excavated material;

(d) Stabilize the overburden dumps by appropriate grading/ benching so as to ensure that that angles of repose at any given place is less than 28°; and

(e) Strict adherence to the prescribed top soil management.

15. No labour camp shall be established on the forest land;

16. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;

17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

18. The total forest area utilized for the project shall not exceed **3.97 ha** (including safety zone area) and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

19. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;

20. No damage to the flora and fauna of the adjoining area shall be caused;

21. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;

22. The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of ecofriendly material shall be used in the area (including forest area and human settlements), adjoining the forest area being;

23. The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly;

24. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;

25. The State Government in compliance report has reported that the User Agency has transferred 3.99 ha of non forest area to the Forest Department and reported that, due to technical problem, area in the Sy.No.236/IA could not be transferred. Even though, the transferred non forest area is more than the requirement for the subject project, as agreed by the User Agency earlier for the entire area of 4.15 ha, the User Agency shall transfer remaining non forest area in favour of the State Forest Department within one year from the date of issue of this order. The State Government shall furnish compliance report to that effect;

26. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

27. The User Agency shall obtain the environmental clearance under the Environmental (Protection) Act, 1986;

28. The mining shall be done as per the mining plan approved by Indian Bureau of Mining and in strict compliance to all relevant acts and rules; and

29. The consent of Andhra Pradesh Pollution Control Board (APPCB) shall be obtained under Air and Water Act before commencement of the mining operation;

6. The Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh is informed that it is not known whether the mining lease has been granted or not by the Director of Mines and Geology / Mining Department in favour of M/s. Raj Granites and if so, for how many years and accordingly he shall confirm, in the first instance, the above details and take further action.

7. The Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests (Head of Forest Force),
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.
M/s. Raj Granites,
Prop.: Sri C.R. Thyagaraju, D No.14/217,
Ganga Nilayam, Palace road, Kuppam, Chittoor- 517427
P.S to Special Chief Secretary to Government, EFS&T Department.
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER